

ZONING CHANGE REVIEW SHEET

CASE: C14-2015-0008 – 2130 Goodrich

P.C. DATE: April 28, 2015

ADDRESS: 2130 Goodrich Avenue

DISTRICT AREA: 5

OWNER/APPLICANT: Jack Holt

AGENT: Peter Sebesta

ZONING FROM: CS

TO: CS-MU-CO

AREA: 0.424 acres (18,469 sq. ft.)

SUMMARY STAFF RECOMMENDATION:

Staff recommends general commercial services – mixed use – conditional overlay (CS-MU-CO) combining district, zoning. The conditional overlay will prohibit Restaurant (general) and Restaurant (limited) uses and will limit vehicle trips to 340 per day.

PLANNING COMMISSION RECOMMENDATION:

April 28, 2015: Recommended CS-MU-CO with conditions as recommended by Staff and agreed upon by the Applicant and the neighborhood to prohibit Restaurant (limited) and Restaurant (general) uses and limiting vehicle trips to 340 per day, by consent [J. Nortey / J. Stevens] (8-0).

DEPARTMENT COMMENTS:

The subject property is a single lot developed with a one-story office building and a surface level, paved parking lot. There is a portion of the lot that is fenced off from the remainder of the lot. This portion of the lot has no development or impervious cover. The property has access to Goodrich Avenue by two 40 foot wide curb-cuts.

The Applicant has requested to add the mixed use (MU) combining district overlay to the current CS zoning of the property in order to build a two-story duplex on the undeveloped portion of the property, located on the west corner. The applicant would like to maintain the CS zoning and continue to use the existing structure as an office.

Staff is recommending CS-MU-CO combining district zoning because the location of the subject property is appropriate for a mixture of uses, including residential uses. The property is one parcel removed from fronting Lamar Boulevard. Lamar Boulevard is a Core Transit Corridor where increased density through mixed use development is desirable in order to encourage and support transit use. CS-MU combining district zoning is consistent with surrounding properties in the area that are in close proximity to Lamar Boulevard and have been granted either mixed use (MU) or vertical mixed use (VMU) overlays.

In consideration of the Applicant's request to rezone the property to CS-MU, Staff conducted a neighborhood traffic analysis after the Applicant submitted traffic count data for Goodrich Avenue.

On April 28, 2015, the Applicant agreed to limit vehicle trips to 340 per day. In light of this agreement, an NTA is no longer necessary.

ISSUES: None at this time.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS	Office
<i>North</i>	MF-3	Multi-Family (duplex and 4-plex units)
<i>South</i>	CS-V	Retail Sales and Services
<i>East</i>	CS	Service Station and Automotive Repair
<i>West</i>	CS	Multi-Family (duplex and 4-plex units)

NEIGHBORHOOD PLANNING AREA: Zilker, a part of the South Lamar Combined Neighborhood Planning Area

NTA: is not required because applicant has agreed to limit trips to 340/day.

WATERSHED: West Bouldin Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

107 Zilker Neighborhood Assn.
498 South Central Coalition
511 Austin Neighborhoods Council
719 Goodrich Place Neighborhood Association
742 Austin Independent School District
943 Save Our Springs Alliance
1107 Perry Grid 614
1228 Sierra Club, Austin Regional Group
1236 The Real Estate Council of Austin, Inc.
1340 Austin Heritage Tree Foundation
1363 SEL Texas
1424 Preservation Austin
1447 Friends of Emma Barrientos MACC
926 South Lamar Neighborhood Assn.
1324 South Lamar IBIZ District

SCHOOLS: Zilker Elementary School; O Henry Middle School; Austin High School

CASE HISTORIES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-06-0079 – Bluebonnet Creek: 2215 Bluebonnet Ln	SF-3 to MF-3	6/16/2006: Rcmd MF-3-CO: 25 ft. front setback; limiting the height to 30 ft. or 2-stories for the first 75-feet back from the property line.	10/19/2006: Apvd MF-3-CO with a 25-foot building setback along Bluebonnet Lane right-of-way; a maximum building or structure height of 35feet, from ground level, within the first 75 feet of the Bluebonnet Lane right-of-way.
C14-2006-0099 – Goodrich; 2105 Goodrich Avenue	SF-3 to SF-5	6/27/2006 – Rcmd SF-5-CO; limiting trips to 2,000/day, 40' vegetated buffer, limiting building height to 1 story within 10' of the north property line, limiting building height to 2 stories within 20' of the north property line, all buildings along Goodrich must face Goodrich Avenue, at least 2 parking spaces for each residential unit is required, requires two additional parking spaces in excess of the required 2 spaces per residential unit, located in the 40' buffer along the north property line.	8/10/2006 – Apvd SF-5-CO; limiting trips to 2,000/day, requires a 40-ft wide vegetative buffer along the east property line, a 10-foot building setback shall apply along the north property line, a 70-foot building setback shall apply along the east property line, within which a natural detention pond shall be located. Parking is permitted within the setback area. Building height is limited to one story within the first 10 to 20 feet of the north property line, and limits height to two stories in any area from 20 feet of the north property line to the middle of the property. Buildings directly adjacent to Goodrich Avenue must face Goodrich Avenue, two parking spaces are required for each residential unit. Two additional parking spaces over the number of total parking spaces required must be provided and may be located within the building setback along the east property line. No more than 10 dwelling units shall be permitted.
C14-2008-0019.001 – South Lamar Vertical Mixed Use Building Zoning Opt- In/Opt-Out Process; 2121	CS to CS-V	6/6/2008 – Rcmd CS-V.	6/18/2008 – Apvd CS-V .

South Lamar Boulevard			
C14-2008-0060 – Zilker Vertical Mixed Use Building (V) Rezoning Opt-In/Opt-Out Process; Tract 37	CS to CS-V	8/12/2008 – Rcmd CS-V with conditions; exemptions from parking requirements.	10/16/2008 - Apvd CS-V with exemptions from parking requirements.
C14-2008-0070 – South Lamar and Blue Bonnet; 2323 and 2315 South Lamar Boulevard, 2421 Bluebonnet Lane	SF-2 and CS to GR	9/9/2008 – Rcmd Staff rec of LO-CO for Tract 1, GR-CO for Tract 2, GR-V-CO for Tract 3; the conditional overlay limits trips to 2,000/day, limits access from the property to Bluebonnet Lane to one driveway cut, prohibits on Tracts 2 and 3 – Automotive Repair Services, Automotive Sales, Exterminating Services, Pawn Shop Services, Automotive Rentals, Automotive Washing (of any type), and Funeral Services.	11/20/2008 - LO-CO for Tract 1, GR-CO for Tract 2, GR-V-CO for Tract 3; the conditional overlay limits trips to 2,000/day, limits access from the property to Bluebonnet Lane to one driveway cut, prohibits on Tracts 2 and 3 – Automotive Repair Services, Automotive Sales, Exterminating Services, Pawn Shop Services, Automotive Rentals, Automotive Washing (of any type), and Funeral Services.
C14-2009-0039 – Danziger 2; 2305 Bluebonnet Lane	LO to MF-3-CO	7/20/2009 – Rcmd MF-3-CO; limiting units to 7 and trips to no more than 200/day. Future development will be limited to the lesser site development standards between LO and MF-3 district zoning standards for building coverage (50%) and impervious cover (65%).	7/23/2009 – Apvd MF-3-CO; limiting units to 7 and trips to no more than 200/day. Future development will be limited to the lesser site development standards between LO and MF-3 district zoning standards for building coverage (50%) and impervious cover (65%).
C14-2010-0122 – Cabot-Chase, Ltd.; 2203 S Lamar Boulevard	CS to CS-1	8/10/2010 – Rcmd CS-1-CO; prohibiting cocktail lounge use.	9/23/2010 – Apvd CS-1-CO; prohibiting cocktail lounge use.
C14-2013-0056 – 2505 & 2507 Bluebonnet Rezoning; 2505 & 2507 Bluebonnet Lane	SF-3 to MF-2	09/10/2013 – Rcmd MF-2-CO; limiting development to 18 units, limiting height and rooftop access in certain areas of the property (see illustrations).	10/17/2013 – Apvd MF-2-CO; limiting development to 18 units, development may not exceed an average of 20 residential units per acre, structure height is limited to 30 feet or 2 stories in area of Exhibit “C”, and rooftop access for any area depicted on Exhibit “D” shall be prohibited except for

			customary maintenance and repair, and emergency access.
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RELATED CASES:

The subject property was a portion of property subject to zoning case C14-61-51. The request was to rezone the properties from "C" (Commercial) and "A" (Residential) to "C" (Commercial).

The subject property is platted as Lot 1 of the Goodrich Subdivision, a subdivision recorded on January 17, 1972 (C8S-72-002).

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Goodrich Avenue	50'	30'	Collector	No	No	Yes

CITY COUNCIL DATE:

ACTION:

June 11, 2015:

ORDINANCE READINGS: 1st

2nd

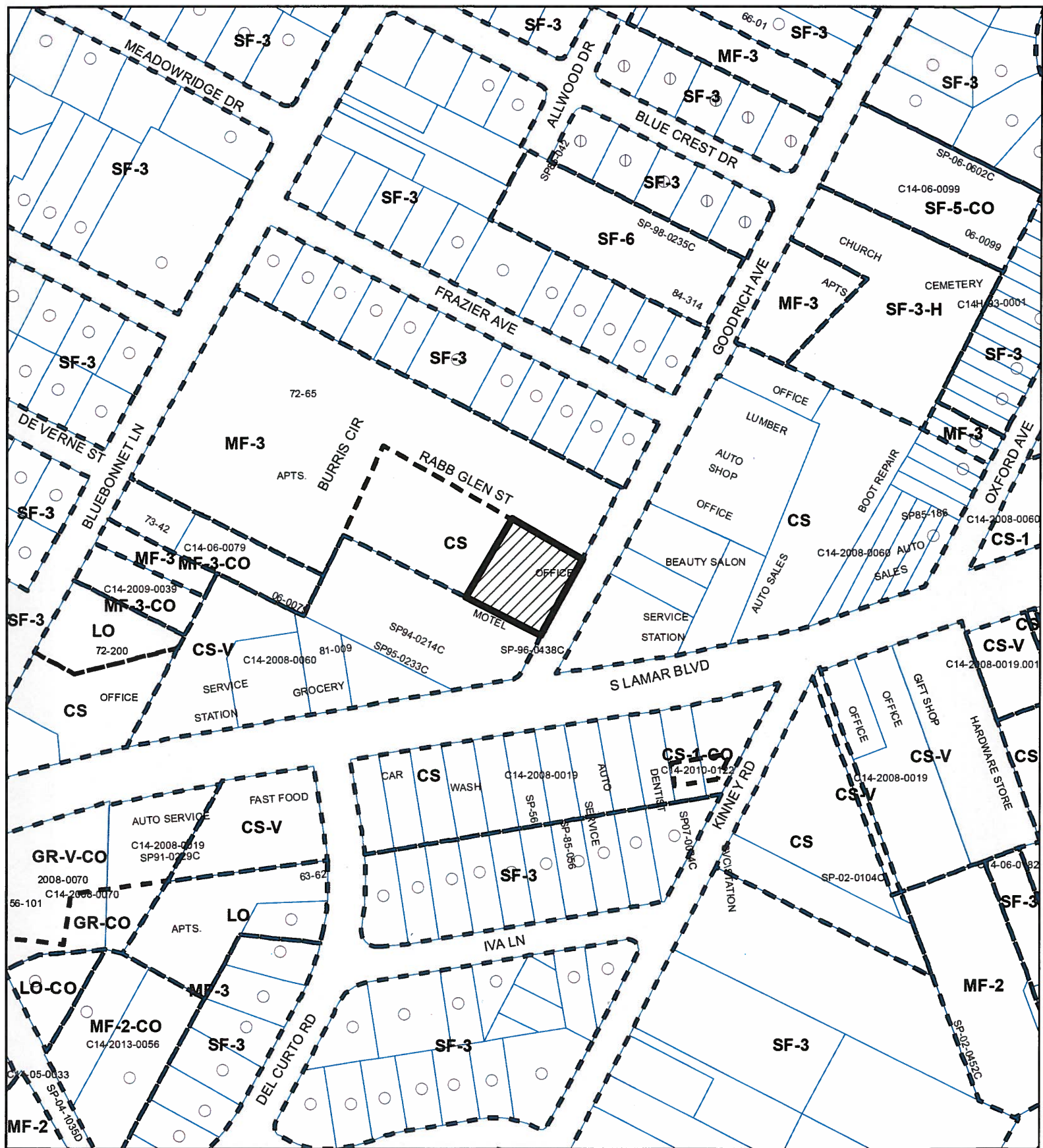
3rd




ORDINANCE NUMBER:

CASE MANAGER: Tori Haase

PHONE: 512-974-7691

EMAIL: tori.haase@austintexas.gov



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING - *Exhibit A*

CASE#: C14-2015-0008

1" = 200'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





ZONING *Exhibit B*

ZONING CASE#: C14-2015-0008
 ZONING CHANGE: CS to CS-MU
 LOCATION: 2130 Goodrich Ave
 SUBJECT AREA: 0.424 ACRES (18,469 sq ft)
 MANAGER: TORI HAASE



 Subject Property

1' = 400'



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

STAFF RECOMMENDATION

Staff recommends general commercial services – mixed use – conditional overlay (CS-MU-CO) combining district, zoning. The conditional overlay will prohibit Restaurant (general) and Restaurant (limited) uses and will limit vehicle trips to 340 per day.

BASIS FOR RECOMMENDATION

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

The Mixed Use Combining District (MU) is intended for combination with selected base districts, in order to permit any combination of office, retail, commercial, and residential uses within a single development. The combining district allows development of all types of residential uses, including single-family residential, multifamily residential, and townhomes. The Applicant's request is congruent with the purpose of the mixed use combining district in that it will allow the ability to combine various uses allowed in the CS base district with a residential use for a mixture of uses within a single parcel/development.

2. *The rezoning should be consistent with the policies and principles adopted by the City Council or the Planning Commission.*

The Applicant's request is consistent with the principles and goals identified in the Imagine Austin Plan, adopted by Council in June, 2012 (reference the Comprehensive Planning comments below).

3. *Zoning changes should promote compatibility with adjacent and nearby uses.*

The addition of a mixed use combining district to the existing base district zoning will allow residential uses on the subject property which will be compatible to the nearby multifamily and single family uses. In addition, the zoning change will promote walkability in the neighborhood by having residential and non-residential uses in close proximity.

4. *The proposed zoning should promote consistency and orderly planning.*

The proposed mixed use combining district is consistent with nearby properties that have previously been granted a mixed use combining district or a vertical mixed use combining district.

EXISTING CONDITIONS

Site Characteristics

The subject property is developed with a single-story office building and a combination of paved parking lot and gravel parking spaces. The site is relatively flat and there appear to be no topographical constraints on the site. The trees on the lot are mostly located around the perimeter of the property at the property line.

Impervious Cover

The primary use of the property is and will remain the office use. Therefore, the maximum impervious cover allowed is 95% per the CS site development standards.

Comprehensive Planning – Kathleen Fox, 512-974-7877

This zoning case is located within the boundaries of a Zilker Neighborhood Planning area, which does not have an adopted neighborhood plan.

Imagine Austin

Although this property is not located along an Activity Corridor as identified on the Growth Concept Map, it is very close to an Activity Corridor along S. Lamar Blvd., located 110 ft. away from the subject property. Activity corridors are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are characterized by a variety of activities and types of buildings located along the roadway — **shopping**, restaurants and cafés, parks, schools, single-family houses, **apartments**, public buildings, houses of worship, **mixed-use buildings**, and offices.

The following policies are also applicable to this project:

- **LUT P5.** Create healthy and family-friendly communities through development that includes a **mix of land uses** and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.
- **H P1.** Distribute a variety of housing types throughout the City to expand the choices able to meet the financial and lifestyle needs of Austin's diverse population.

Based on this property being located less than 110 ft. away from an Activity Corridor on S. Lamar Blvd. which supports mixed use, and the adjoining commercial uses and non-single family housing, this mixed use project appears to be supported by the Imagine Austin Comprehensive Plan.

Environmental – Mike McDougal, 512-974-6380

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the West Bouldin Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Zoning district impervious cover limits apply in the Urban Watershed classification.

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.

Transportation – Bryan Golden, 512-974-3124

Additional right-of-way may be required at the time of subdivision and/or site plan.

A Neighborhood Traffic Analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 340 vehicle trips per day. [LDC, 25-6-117]

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, a bicycle facility is not identified on Goodrich Avenue.

Water and Wastewater – Bradley Barron, 512-972-0078

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Storm Water Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in storm water runoff will be mitigated through on-site storm water detention ponds, or participation in the City of Austin Regional Storm water Management Program if available.

Site Plan and Compatibility Standards – Elsa Garza, 512-974-2308

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

FYI – This is on the Urban Roadway and it's within the South Lamar Combined (NPA).

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website: <http://www.austintexas.gov/development>.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2015-0008

Contact: Tori Haase, 512-974-7691

Public Hearing: April 28, 2015, Planning Commission
June 11, 2015, City Council

Michael Sullivan

Your Name (please print)

2208 Del Curo Rd

Your address(es) affected by this application

M. Sullivan

Signature

4-20-15

Date

Daytime Telephone: 512 484 0767

Comments:

MR Holt is an HONORABLE MAN
who has BEEN in the
Neighborhood for DECADES.

I support his Zoning Change
AND His Project will be good
for the Neighborhood.
Thank you, M. Sullivan

If you use this form to comment, it may be returned to:

City of Austin

Planning & Zoning Department

Tori Haase

P. O. Box 1088

Austin, TX 78767-8810

Haase, Victoria [Tori]

From: Lorraine Atherton <latherton@austin.rr.com>
Sent: Tuesday, April 28, 2015 9:22 AM
To: 'Danette Chimenti'; Haase, Victoria [Tori]; peter.e.sebesta@gmail.com
Cc: Chimenti, Danette - BC; Zaragoza, Nuria - BC; Hernandez, Alfonso - BC; Roark, Brian - BC; Nortey, James - BC; Stevens, Jean - BC; Hatfield, Richard - BC; Oliver, Stephen - BC; Shieh, James - BC; jjack2@austin.rr.com
Subject: Agenda item 6, 2130 Goodrich rezoning, C14-2015-0008

Planning Commission
City of Austin

Re: Agenda item 6, C14-2015-0008, 2130 Goodrich rezoning

Dear Commissioners:

The zoning committee of the Zilker Neighborhood Association requests that a conditional overlay prohibiting restaurant, cocktail lounge, and other alcohol-related uses be added to the commercial services mixed-use (CS-MU) zoning at 2130 Goodrich. It is our understanding that the owner, Jack Holt, has agreed to this.

We support Dr. Holt's proposal to build a small two-story duplex in the open yard behind the existing office building. ZNA has long supported this type of live-work conversion for commercial properties along South Lamar. Our understanding is that the office building will remain as is, with the current MHMR tenant. There do not appear to be any trees in the construction area that would be affected, nor are there easements, setbacks, or other compatibility issues. The proposed duplex should be perfectly compatible with the adjacent public housing at Goodrich Place. Likewise, the existing office and MHMR uses seem to be very compatible with the surrounding residential uses, and they are not contributing to traffic or parking problems.

We also request that the Planning Commission reject the "Neighborhood Traffic Analysis" submitted by City Planner Bryan Golden, stating that the applicant must "post fiscal for improving the roadway width up to 40 feet of pavement" and recommending that one of the existing driveways be removed and sidewalks be installed. The analysis estimates the "proposed new site traffic" at 789 vehicle trips per day. We believe the analysis is in error because:

1. the MU designation and the construction of housing actually reduces the potential for car-intensive uses on this CS site,
2. the only uses that could generate the traffic in the staff report are restaurants and bars (already allowed under the current CS zoning),
3. it is debatable whether a restaurant of that size could be built on the lot with the required parking, and
4. the CO prohibiting restaurants and bars would eliminate the possibility of those car-intensive uses.

We also object to the driveway and sidewalk recommendations because the current driveway configuration is required for the MHMR buses and the trees on the curb are more important to the pedestrian environment than a paved sidewalk. An unpaved path would be acceptable under the trees, but the existing driveway provides good pedestrian access as it is, especially for the MHMR clients. A standard concrete sidewalk should be required only on the short stretch between the Batteries Plus sidewalk and the first driveway at 2130 Goodrich.

Thank you.

Lorraine Atherton

(512-447-7681) for the zoning committee of the Zilker Neighborhood Association

From: Peter Sebesta

Sent: Tuesday, April 28, 2015 11:24 AM

To: Haase, Victoria [Tori]

Cc: Golden, Bryan

Subject: Re: Agenda item 6, 2130 Goodrich rezoning, C14-2015-0008

I have checked with Jack Holt and he has agreed to limit the trips per day to 340 a day for 2130 Goodrich. Will the supporting documents/staff recommendation be updated for the meeting tonight?

Please let me know if you need anything from me or Mr. Holt. Both Mr. Holt and myself will be attending this evening.

Sincerely,

Peter Sebesta

C. 512-872-0710